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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/859,496	05/17/2001	Viken Der Ghazarian		4835

7590 02/05/2004

OHANES DER GHAZARIAN
308 GONDOLA WAY
HENDERSON, NV 89014

EXAMINER

NGUYEN, THU V

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 02/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/859,496

Applicant(s)

DER GHAZARIAN ET AL.

Examiner

Thu Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-58 is/are pending in the application.
- 4a) Of the above claim(s) 16-46 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 47-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

The amendment filed on October 29, 2003 has been entered. By this amendment, claims 1-15 have been canceled, claims 47-58 have been added and claims 16-58 are now pending in the application. Among the pending claims, claims 16-46 are indicated as withdrawn. Therefore, claims 16-46 are not further considered in the office action. The substitute specification has been accepted and has been entered into record.

Amendment

Claims 16-46 are indicated as being withdrawn. Whereas, the amendment filed on July 2, 2003 (amendment B paper No. 9) indicates that claims 16-46 are cancelled. It is not clear if the applicant want to reinstate those claims or not. Status of claims 16-46 should be clarified. The following office action considers claims 47-58 only.

Specification

1. The disclosure is objected to because of the following informalities:

In the specification paragraph [0051-0052], fig.5A is not described. Further, the drawing does not seem to have fig. 5c.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it

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pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 47-58 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 47, line 8-9 claims that the parking space unit transmits signals concerning the duration the vehicle remains parked within the parking space. However, the specification does not seem to disclose such the feature. The specification paragraph 0061 appears to shows that the base station record the time the vehicle is at the parking space, it appears it is the base station (not the parking space unit) that determines the duration the vehicle remains at the parking space.

Claims 48-58 are rejected as being dependent on the rejected base claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 47, 57-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maloney (US 6,427,913).

As per claim 47, Maloney discloses a parking lot vehicle inventory system for tracking the parked position of a vehicle, the system comprises: a parking lot with parking unit associated with each parking spaces for receiving and transmitting signals corresponding to information indicative of a vehicle parked within the parking space (col.9, lines 22-29); a vehicle for transmitting signals corresponding to information indicative of the vehicle (col.9, lines 27-29; col.7, lines 43-45); a base station computer for receiving signals transmitted by the parking space units (col.9, lines 27-34). Maloney does not explicitly teach the database for storing and retrieving information corresponding to the duration at which the vehicle remains parked, and the parking space unit transmits the duration the vehicle remains parked. However, Maloney teaches the capability of tracking the parking space the vehicle is in and the logs about the time the vehicle leaves (col.9, lines 30-34), further, using database for storing and retrieving information would have been well known. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to implement a database to the base station of Maloney and to implement the function of tracking the time the vehicle leaves the parking lot to the parking space unit in order to facilitate storing and retrieving information of a plurality of vehicle that needs to be tracked and to ensure balancing work load among devices.

As per claim 57-58, implementing a transceiver within a rearview mirror of to the windshield of the vehicle would have been known.

6. Claims 48-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maloney (US 6,427,913) in view of Khawam (US 6,678,612).

As per claim 48-53, Khawam teaches including a transceiver to a base station for relaying data of a vehicle information to a base station, transmitting signals from the vehicle to the base station corresponding to data indicative of vehicle tampering, and immobilizing the vehicle (col. 4, lines 32-43), and a GPS system (col.6, lines 14-23; col.3, lines 38-40), and detecting ignition status of the vehicle (col.4, lines 19-22). Further immobilizing the engine to disable the vehicle, including telecommunication devices such as cell phone, pager, etc., and transmitting signal when an ignition system is turned off would have been well known.

As per claim 54-56, Mahoney teaches transmitting signals from the vehicle to the parking space unit using RF coded signal and electromagnetic signal (col.5, lines 52-58; col.3, lines 61-67), further transmitting data between a base station and an intermediate station using RF signal or electromagnetic signal would have been known.

Response to Arguments

7. Applicant's arguments have been considered but are moot in view of the new grounds of rejection.

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 305-7687, (for formal communications; please mark "EXPEDITED
PROCEDURE")

Or:

(703) 305-7687 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

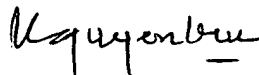
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Hand-delivered responses should be brought to Crystal Park V, 2451 Crystal Drive, Arlington, VA., Seventh Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Nguyen whose telephone number is (703) 306-9130. The examiner can normally be reached on Monday-Thursday from 8:00 am to 6:00 pm ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski, can be reached on (703) 308-3873. The fax phone number for this Group is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.



THU V. NGUYEN
PRIMARY EXAMINER

January 15, 2004